STAFF NOTE: SUBMITTED BY ATTORNEY M. GIAIMO, COUNSEL FOR AMAZON - 4.1.21

EXHIBIT A

Traffic Monitoring and Reporting Program

The Applicant shall retain the services of an independent Traffic Engineer duly licensed in the Commonwealth of Massachusetts to conduct post-development traffic monitoring in order to: (i) validate the traffic volume projections; (ii) affirm the travel routes of DSP vans and Flex drivers; and (iii) evaluate traffic operations and safety impacts after occupancy. The data collection portion of the monitoring program will include the following elements:

I. Performing a 7-day, week-long automatic traffic recorder counts at the following locations to include vehicle classification:

    1. Industrial Park Road north of the exit driveway for the warehouse;
    2. Commerce Road; and
    3. All driveways serving the warehouse.

II. Performing manual turning movement counts and vehicle classification counts using a video recording device for a continuous 12-hour period on a weekday (7:00 AM to 7:00 PM) at the following intersections (the "Monitored Intersections"):

    1. Industrial Park Road/Commerce Road
    2. Derby Street/Pond Park Road
    3. Derby Street/Route 3 Southbound Ramps
    4. Derby Street/Route 3 Northbound Ramps
    5. Derby Street/Old Derby Street
    6. Derby Street/Derby Street Shoppes
    7. Derby Street/Cushing Street
    8. Whiting Street (Route 53)/Derby Street/Gardner Street

III. Obtaining motor vehicle crash data for the most recent one-year period from the Hingham Police Department for Monitored Intersections.

The data collection effort will be undertaken twice per year: once under normal or typical warehouse operations and once under peak season operations. Baseline (prior to operation) data collection shall occur prior to the commencement of major construction activities associated with the warehouse construction or shall be conducted in a manner so as to exclude construction traffic from the baseline data. Subsequent data collection shall commence within 90 days of the issuance of a Certificate of Occupancy for the warehouse and be repeated twice annually as defined above for a period of six (6) years thereafter unless the duration is extended or otherwise modified by the Planning Board. Prior to undertaking the data collection, the Applicant shall submit the proposed dates and scope of work to the town planner for review and approval which shall not be unreasonably conditioned, delayed or denied.

The results of the traffic monitoring program shall be summarized in a report or technical memorandum (the "Monitoring Report") provided to the Planning Board, the town planner, and the Building Commissioner within one-month of the completion of the data collection effort and shall include the following information and analyses:

- Comparison of the measured traffic volumes (trucks, DSP vans and passenger vehicles (including Flex Driver passenger vehicles)) to the traffic volume projections for the Project as presented in the *Traffic Study*, Proposed Delivery Station Building, 100 Industrial Park Road, Hingham, MA; BL Companies; July 2020 and as subsequently amended (the "Traffic Study");
- Traffic operations (motorist delays, vehicle queueing and level-of-service) at the Monitored Intersections;

- Evaluation of motor vehicle crash rates at the Monitored Intersections; and
- The number of DSP vans ~~and Flex vehicles~~ traveling through the Monitored Intersections by time of day and direction of travel.

Commented [A1]: It will be difficult to identify even well-marked "flex" vehicles since they are personal passenger vehicles that can be any make, model or color and are otherwise indistinguishable from any other passenger vehicle on the road.

To the extent that any of the following conditions are documented in the Monitoring Report (each an "Unmitigated Impact"), corrective measures to reduce the Unmitigated Impact(s) ("Corrective Measures") shall be proposed by the Applicant in the Monitoring Report:

i. The measured traffic volumes for the warehouse (daily or peak-hour) exceed the projected traffic volumes by more than 10 percent (i.e., 110 percent of the projected traffic volumes);

ii. The volume of DSP vans ~~and/or Flex vehicles~~ using Gardner Street, Cushing Street or Whiting Street exceed by 10% or more the estimates presented in the Traffic Study; and/or

iii. The calculated motor vehicle crash rate at a Monitored Intersection exceeds the MassDOT average crash rate for similar intersections as a direct result of the project.

Commented [A2]: It is unclear how this would be determined. If there is crash rate data for the monitored intersections, future data should be compared to that rather than "similar intersections" If there is no crash rate data existing, what would be the basis for a comparison to "similar intersections?" How is "as a direct result of the project" determined? Amazon should not be responsible or held to mitigation for crashes that do not involve Amazon vehicles.

The description of the proposed Corrective Measures, if any, shall include the appropriate parties responsible for implementation, required approvals, and the timeline for implementation. These Corrective Measures may include, without limitation:

- Sign and pavement marking installation.
- Traffic signal timing modifications at the Monitored Intersections.
- Enforcement of travel route restrictions for DSP vans and Flex vehicles to limit or preclude the use of Gardner Street and Cushing Street except for deliveries to addresses along these roadways.
- On-site operations and management strategies to include: expansion of the elements of the TDM program to include financial incentives for employees to car/vanpool; scheduling employee and truck operations to minimize impacts during peak-traffic-volume periods along Derby Street; evaluating implementation of an employee shuttle program; and other such measures that are designed to reduce the overall volume of traffic generated by the Project including, without limitation, modification of operations to comply with the maximum daily trips set forth in the Traffic Study.

The Town may, pursuant to MGL Ch. 44, Section 53G, retain the services of a peer review traffic engineer, at the expense of the Applicant, to review the methodology, results, and findings of the Monitoring Report. Upon written request of the Planning Board (or the town planner on its behalf), the Applicant shall appear at a duly noticed public hearing of the Planning Board to present the results of the Monitoring Report and to review any proposed Corrective Measures. If Corrective Measures are necessary based on the findings of the Monitoring Report after review by the Town's peer review traffic engineer, they shall be implemented at the sole expense of the Applicant in accordance with the identified timeline. The status of implementation and effectiveness of the Corrective Measures shall be documented by the Applicant in the subsequent Monitoring Report.